

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-21 remain pending in the present application, Claims 1, 8, 12, 14, 16, 19, and 20 having been amended. Support for the amendments to Claims 1, 8, 12, 14, 16, and 19 is found, for example, at page 26, lines 11 to page 27, line 23, page 29, lines 10-14, and page 30, line 24 to page 31, line 18. Applicants respectfully submit that no new matter is added.

In the outstanding Office Action, Claims 1-21 were rejected under 35 U.S.C. §102(e) as being anticipated by Paradinas et al. (U.S. Patent Publication No. 2002/0116478, hereinafter Paradinas).

With respect to the rejection of Claim 1 as anticipated by Paradinas, Applicants respectfully submit that the amendment to Claim 1 overcomes this ground of rejection.

Amended Claim 1 recites,

A file creation method which creates a program-addition file for adding a program to a program-initiation recording medium of an information processing apparatus, comprising the steps of:

acquiring identification information of the program-initiation recording medium and model identification of the information processing apparatus; and

creating a program-addition file in response to the identification information and the model identification so that starting of the program on the information processing apparatus is allowed by the program-addition file with the program stored in the program-initiation recording medium.

Paradinas does not disclose or suggest every element of Claim 1.

Paradinas describes that once a modular application has been developed, that a description of the application is produced.<sup>1</sup> This description is an abstract view of the

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<sup>1</sup> Paradinas, paragraph [0039].

application as it describes its structure, but does not provide the execution-dependent part of the implementation.<sup>2</sup> The application description is then stored in smart card.<sup>3</sup> In addition to this application description, the smart card stores a software component labeled a “bootstrap.” When the smartcard is connected to a device, the bootstrap is activated and causes the installation of the application to be carried out in the execution environment the smart card is connected to.<sup>4</sup>

More particularly, the bootstrap analyzes the application description and drives application deployment by sending installation commands to the device to cause the device to instantiate components of the application and configure them to be connected in an appropriate manner.<sup>5</sup>

Paradinas does not disclose or suggest acquiring model identification of the information processing apparatus. The outstanding Office Action takes the position that the “acquiring” step of Claim 1 is described in paragraph [0041] of Paradinas. However, paragraph [0041] of Paradinas merely describes how the device activates the bootstrap, which reads the application description, and causes the device to instantiate the application. There is no disclosure or suggestion that model identification of the information processing apparatus plays any role in the processes described in Paradinas. Particularly, Applicants note that there is no disclosure or suggestion that the application description stored on the smart card includes model identification of the information processing apparatus. Thus, it is not possible for the device to acquire model identification of the information processing unit from the smart card.

Furthermore, Paradinas does not disclose or suggest “creating a program-addition file in response to the identification information and the model identification.” As discussed

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<sup>2</sup> Paradinas, paragraph [0039].

<sup>3</sup> Paradinas, paragraph [0040].

<sup>4</sup> Paradinas, paragraph [0041].

<sup>5</sup> Paradinas, paragraph [0060].

above, Paradinas describes that the device connected to the smart card instantiates the application based on the application description and the commands from the bootstrap. There is no description or suggestion that the device connected to the smart card instantiates the application in response to the identification information and the model identification.

Paradinas is devoid of any description of model identification of the information processing apparatus

In view of the above-noted distinctions, Applicants respectfully submit that Claim 1 (and Claims 2-7 dependent thereon) patentably distinguish over Paradinas.

Amended Claims 8, 12, 14, 19, and 20 recite elements similar to those of amended Claim 1. Thus, Applicants respectfully submit that Claim 8 (and Claims 9-11 dependent thereon), Claim 12 (and Claim 13 dependent thereon), Claim 14 (and Claim 15 dependent thereon), Claim 19, and Claim 20 (and Claim 21 dependent thereon) patentably distinguish over Paradinas, for at least the reasons stated for Claim 1.

Applicants respectfully traverse the rejection of Claim 16 as anticipated by Paradinas. Claim 16 recites, *inter alia*,

a program addition unit performing an authentication check of the program-addition file read from the program-addition recording medium based on model identification of the information processing apparatus, and adding the program to the program-initiation recording medium according to a result of the authentication check.

Paradinas does not describe or suggest at least this element of amended Claim 16

According to Claim 16, the authentication check of the program addition file is based on model identification of the information processing apparatus.

Paragraph [0055] is the only portion of Paradinas that discusses authentication. Paragraph [0055] merely describes user authentication to access a service through an interface of the device connected to the smart card. There is no disclosure or suggestion that

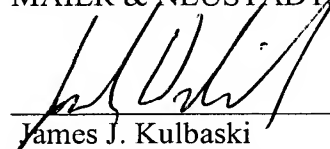
the authentication in Paradinas is based on the model identification of the information processing unit.

In view of the above-noted distinctions, Applicants respectfully submit that Claim 16 (and Claims 17 and 18 dependent thereon) patentably distinguish over Paradinas.

Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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